

Kassim M. Ferris, OSB No. 965260
Nathan C. Brunette, OSB No. 090913
STOEL RIVES LLP
760 S.W. Ninth Ave., Suite 3000
Portland, OR 97205
Telephone: (503) 224-3380
Facsimile: (503) 220-2480

Brian C. Park (*pro hac vice*)
STOEL RIVES LLP
600 University Street, Suite 3600
Seattle, WA 98101-4109
Telephone: (206) 386-7542
Facsimile: (206) 386-7500

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

LEUPOLD & STEVENS, INC.,

Plaintiff/Counterclaim-Defendant,

v.

LIGHTFORCE USA, INC. d/b/a
NIGHTFORCE OPTICS and
NIGHTFORCE USA,

Defendant/Counterclaimant.

No. 3:16-cv-1570-HZ

**PLAINTIFF LEUPOLD & STEVENS,
INC.'S NOTICE WITHDRAWING
WITH PREJUDICE ASSERTION OF
CLAIMS OF U.S. PATENT NO.
6,351,907**

Plaintiff Leupold & Stevens, Inc. hereby gives notice that it withdraws with prejudice its assertion of infringement as to claims 10, 11, 16, 17, 18 and 19 of U.S. Patent No. 6,351,907 (“the ’907 Patent”), representing all currently-asserted claims of the ’907 Patent in this action. Without making any admission of any kind, Leupold will not in the future assert infringement of any claims of the ’907 Patent against Defendant Lightforce USA, Inc. (“Nightforce”) or against Nightforce’s products or Nightforce’s suppliers, distributors, or customers. As a result of this withdrawal, Leupold no longer asserts infringement of the ’907 Patent in this action, and it appears that the trial set to begin on May 19, 2020 may be canceled along with related pre-trial deadlines, leaving pending summary judgment rulings and further proceedings as to the remaining asserted patents in this action.

DATED this 28th day of February, 2020.

Respectfully submitted,
STOEL RIVES LLP

/s/ Nathan C. Brunette

Kassim M. Ferris, OSB No. 965260
Nathan C. Brunette, OSB No. 090913
760 S.W. Ninth Ave., Suite 3000
Portland, OR 97205
Telephone: (503) 224-3380
Facsimile: (503) 220-2480
kassim.ferris@stoel.com
nathan.brunette@stoel.com

Brian C. Park (*pro hac vice*)
600 University Street, Suite 3600
Seattle, WA 98101-4109
Telephone: (206) 386-7542
Facsimile: (206) 386-7500
brian.park@stoel.com

Attorneys for Leupold & Stevens, Inc.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was electronically filed today with the Clerk of the Court using the Court's CM/ECF system, which will send notification and serve such filing to all counsel for the parties who have appeared in this case:

David A. Casimir, Ph.D.
Casimir Jones, S.C.
2275 Deming Way, Suite 310
Middleton, WI 53562

Scott E. Davis
Todd M. Siegel
J. Christopher Carraway
Klarquist Sparkman, LLP
One World Trade Center
121 SW Salmon Street, Suite 1600
Portland, OR 97204

Attorneys for Defendants

DATED: February 28, 2020.

STOEL RIVES LLP

/s/ Nathan C. Brunette

NATHAN C. BRUNETTE

OSB No. 090913

Telephone: (503) 224-3380

Attorneys for Plaintiff/Counterclaim-Defendant
LEUPOLD & STEVENS, INC.